



Department of Justice

United States Attorney
District of North Dakota

FOR IMMEDIATE RELEASE
March 2, 2010
<http://www.usdoj.gov/usao/nd/>

CONTACT: BETH LANG
PHONE: (701) 530-2420
FAX: (701) 530-2421

Walsh County Farmer Guilty Verdict Affirmed

GRAND FORKS - Acting United States Attorney Lynn Jordheim announced that on March 1, 2010, Ralph R. Erickson, Chief Judge, United States District Court, issued an order affirming a finding that **Alvin Peterson**, 78, Lawton, North Dakota, was guilty on two counts of improper drainage of wetlands. A bench trial was held on July 14 and 15, 2008, in U.S. District Court in Grand Forks with U.S. Magistrate Judge Alice R. Senechal presiding. The memorandum opinion of Judge Erickson is attached hereto.

The incidents occurred on July 5, 2007, when Peterson hired a contractor to construct ditches into protected wetlands and illegally drained the wetlands. Peterson had farmed the land for decades, and knew where the wetlands were located.

Peterson was previously convicted of draining certain wetlands in 2004. Peterson was sentenced to probation, and restoration of the injured wetlands was a condition of probation in his previous conviction for draining wetlands. Peterson did not comply with the restoration conditions and the Court issued an order authorizing U.S. Fish & Wildlife Service to restore the wetlands and Peterson was to pay the costs of restoration.

The restoration work was completed in the fall of 2006. Some of the wetlands drained in the July 2007 incident included wetlands restored in 2006.

Magistrate Judge Senechal sentenced Peterson to a \$10,000 fine, five years of probation, \$20.00 special assessment, and restoration of the protected wetlands. All of the wetlands were restored in the late fall of 2009.

The case was investigated by the U.S. Fish & Wildlife Service.

Assistant United States Attorney Cameron Hayden prosecuted the case.

-end-